



PTO/SB/21 (08-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | |
|---|------------------------|-----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/618,794 |
| | Filing Date | July 14, 2003 |
| | First Named Inventor | William E. RIHA |
| | Group Art Unit | 1761 |
| | Examiner Name | |
| Total Number of Pages in This Submission | Attorney Docket Number | 03/057 NUT |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) Extension of Time Request Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ Remarks: Postcard Receipt Limited Recognition Form 3 references | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other! Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
|--|---|--|

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | | | |
|-------------------------|--|--|--|
| Firm or Individual Name | ProPat, L.L.C. 2912 Crosby Road Charlotte, NC 28211-2815 | | |
| Signature | | | |
| Date | January 14, 2004 | | |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
|---|---------------|------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Claire Wygand | | |
| Signature | | Date | January 14, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK
OFFICE PATENT OPERATIONS

Art Unit: 1761
Applicants: William E. RIHA
Application No. 10/618,794
Filed: July 14, 2003
Title: **Mixtures with a sweetness and taste profile of high fructose corn
syrup (HFCS) 55 comprising HFCS 42 and Acesulfame K**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Charlotte, North Carolina
January 14, 2004

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to Rule 56 and Rule 97 *et seq.*, Applicant hereby submits the attached Form(s) PTO/SB/08B and the references listed thereon.

This submission does not represent that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art."

Applicant respectfully requests that each reference be reviewed and made of record in Application no. 10/618,794 filed July 14, 2003.

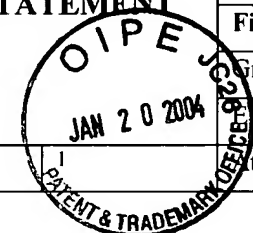
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-2193.

Respectfully submitted,

Klaus Schweitzer
See attached Limited Recognition Form
ProPat, L.L.C.
2912 Crosby Road
Charlotte, North Carolina 28211-2815
Telephone (704) 365-4881

Attorney's Docket No. 03/057 NUT

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|---|---|----|----------------------|------------------------|------------|
| PTO/SB/08B | | | Complete if Known | | |
| Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | Application Number | 10/618,794 | |
| | | | Filing Date | July 14, 2003 | |
| | | | First Named Inventor | William E. RIHA | |
| | | | Group Art Unit | 1761 | |
| | | | Examiner Name | | |
| Sheet | 1 | Of | 1 | Attorney Docket Number | 03/057 NUT |



| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|--|----------|--|----|
| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), Title of the Article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published | T6 |
| | | FRY, Dr. JOHN C., " <i>Sugar replacement in non-diet soft drinks</i> " Food Technology International; Europe, 83-86, 1995 | X |
| | | SIMON <i>et al.</i> , " <i>Combinations of glucose syrups and intense sweeteners, application in calorie reduced soft drinks</i> " In 'FIE. Food Ingredients Europe Conference proceedings, Paris 27, 28, 29 September 1989 Maarssen, Netherlands, Expoconsult Publishers, 330-333, 1989 | X |
| | | LOTZ and MEYER, " <i>Sweetners in beverages – New developments</i> ", Food Marketing & technology, 4-91, 1994 | X |
| | | | |
| EXAMINER | | DATE CONSIDERED | |
| EXAMINER: Initial citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | |

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